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activity being flanked by an inverted tandem repeat, and a primer binding site for the reverse transcriptase located 3' to the inverted tandem repeat.

REMARKS

In the Official Action of December 21, 2000, the informal nature of the drawings, the absence of a sequence listing, and certain informalities in the specification, claims, and Abstract were noted. Claim 5 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to point out and claim that which Applicant regards as the invention, and claims 1, 5, 6, and 11-14 were rejected under 35 U.S.C. 102(b) over Nabel, *et al.*, WO95/29993 ("Nabel"). Claims 2-4, 7-10, and 15 were objected to but indicated as being allowable if rewritten in independent form to include all the limitations of the base and any intervening claims.

Replacement paragraphs remedying the informalities noted in the specification and Abstract are set out above. Withdrawal of these objections is respectfully requested in light of these amendments to the specification and Abstract.

It is respectfully requested that the objection to the drawings be held in abeyance until the application is otherwise allowable. 37 C.F.R. 1.85(c), 1.111(b). Responsive to the requirement for a sequence listing, enclosed herewith is a sequence listing complying with the requirements of 37 C.F.R. 1.821 – 1.825, as well as the required Statement to Support Filing and Submission of the sequence listing. Applicant hereby requests that the enclosed sequence listing be entered into the application in place of the sequence listing originally filed with the application.

Responsive to the §112 rejection, Applicant has rewritten claim 5 as set above and reconsideration and withdrawal of that rejection is respectfully requested in light of this amendment to claim 5. Attention is also directed to the amendment to claim 1 reciting that the claimed composition comprises sequences "coding for" the sequence of interest, inverted tandem repeat, enzymatic sequence, and primer binding site. This amendment was made to bring the claims into conformity with the specification.

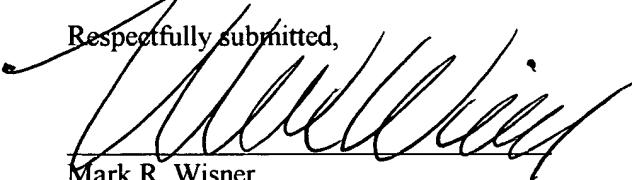
The §102 rejection over Nabel is respectfully traversed because that reference does not disclose the elements recited in amended claims 1, 5, 6, or 11-14. As evidenced by the indication in the Action that claim 2, reciting a reverse transcriptase gene, would be allowable if rewritten in independent form, neither claim 6 nor any other claim of Nabel "describes a vector that has all of the characteristics of the vectors mentioned in [Applicant's] claims" after claims 1 and 13 are amended to recite an RT gene as set out above. Nor does Nabel disclose a primer binding site located 3' to the sequence of interest as recited in claims 1 and 13. The assertion on that same page

of the Action that "any sequence may serve as a primer binding site" is not consistent with the meaning of the phrase "primer binding site" as set out in the claims. As clearly stated at multiple locations in the specification, a primer binding site for use as one component of the claimed composition is "any PBS that is matched to the reverse transcriptase which is utilized" (see page 16, line 28 of the specification). To clarify how the claims already defined over the cited art in this respect, claims 1 and 13 have been amended to recite that the PBS is a PBS for the RT.

Because all of claims 5, 6, 11, 12, and 14 are dependent on independent claims 1 and 13 and amended claims 1 and 13 are allowable over the cited art, it is respectfully requested that the rejection of claims 5, 6, 11, 12, and 14 also be reconsidered and withdrawn. It is also noted that at least claims 6, 11, 12, and 14 recite additional elements that are not disclosed in Nabel such that those claims were allowable over Nabel as written.

Entry of the above amendments and the enclosed sequence listing, reconsideration and withdrawal of the §112 and §102 rejections, allowance of the claims, and passage of the application to issuance are all respectfully requested. In the unforeseen event that there are questions regarding this application, it is respectfully requested that Applicant's counsel be contacted at the address and telephone number set out below.

Respectfully submitted,



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